

PATENT

172

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/777,411

Confirmation No.: 4318

Filed: February 12, 2004

First Named Inventor:

Charles R. Gordon

Title: ARTIFICIAL SPINAL UNIT  
ASSEMBLIES§ Examiner: T. C. Barrett  
§ Art Unit: 3738  
§ Atty. Dkt. No.: 5943-00300/EBM  
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§CERTIFICATE OF MAILING  
UNDER 37 C.F.R. §1.8

DATE OF DEPOSIT: 11/15/06

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Alexandria, VA 22313-1450

Amy Caddell

TRANSMITTAL OF ELECTION UNDER 37 C.F.R. §§ 3.71 AND 3.73AND POWER OF ATTORNEYCommissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant encloses the following:

- (1) Election Under 37 C.F.R. §§ 3.71 and 3.73 and Power of Attorney (2 pages); and
- (2) A return postcard.

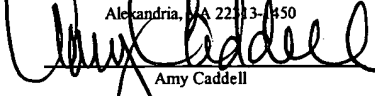
Should any fees be required, the Commissioner is authorized to charge said fees to  
Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. Deposit Account No. 50-1505/5943-  
00300/EBM.

Respectfully submitted,

Eric B. Meyertons  
Reg. No. 34,876

Attorney for Applicant

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Date: 11/15/06

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each an attorney or agent of the firm of MEYERTONS, HOOD, KIVLIN, KOWERT & GOETZEL, P.C., as its attorney or agent for so long as they remain with such firm, with full power of substitution and revocation, to prosecute the application, to make alterations and amendments therein, to transact all business in the Patent and Trademark Office in connection therewith, and to receive any Letters Patent, and for one year after issuance of such Letters Patent to file any request for a certificate of correction that may be deemed appropriate.

Pursuant to 37 C.F.R. §3.73, the undersigned has reviewed the evidentiary documents, specifically the Assignment to Flexuspine, Inc., referenced above, and certify that to the best of my knowledge and belief, title remains in the name of the Assignee.

Please direct all communications as follows:

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ASSIGNEE:

Flexuspine, Inc.

By: 

Vincent J. Jannetty

Title: Chief Executive Officer

Date: Sept 5, 2006